



REGISTRAR OF REGULATIONS

08 NOV -3 PM 1:45

## **COMMONWEALTH of VIRGINIA**

### **Department of Health DIVISION OF SHELLFISH SANITATION**

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### **NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 071-095, BROAD BAY**

**EFFECTIVE 17 NOVEMBER 2008**

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §2.2-4002, B.16 of the *Code of Virginia*:

1. The "Notice and Description of Shellfish Area Condemnation Number 071-095, Broad Bay," effective 26 November 2007, is canceled effective 17 November 2008.
2. Condemned Shellfish Area Number 071-095, shown as Sections A through H, is established, effective 17 November 2008. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Broad and Linkhorn Bays, Condemned Shellfish Area Number 071-095, 17 November 2008" which is part of this notice.
3. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

#### **BOUNDARIES OF CONDEMNED AREA NUMBER 071-095**

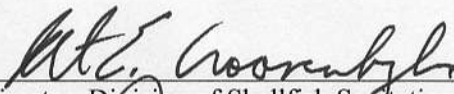
- A. The condemned area shall include all of Long Creek and the Long Creek Canal lying upstream of a line drawn between latitude / longitude map coordinate (36°54'26.7", -76°05'25.7"), map coordinate (36°54'19.6", -76°05'21.1"), and map coordinate (36°54'15.6", -76°05'05.5"); and downstream of a line drawn between map coordinate (36°54'28.0", -76°02'07.9") and map coordinate (36°54'25.0", -76°02'10.1"); as well as downstream of a second line drawn between map coordinate (36°54'08.7", -76°03'38.3") and map coordinate (36°54'06.1", -76°03'38.8").
- B. The condemned area shall include all of an unnamed inlet of Broad Bay lying inland of a line drawn between latitude / longitude map coordinate (36°54'17.7", -76°03'02.3") and map coordinate (36°54'12.5", -76°03'20.7").
- C. The condemned area shall include all of an unnamed inlet of Broad Bay lying inland of a line drawn between latitude / longitude map coordinate (36°54'13.0", -76°03'27.1") and map coordinate (36°54'08.7", -76°03'38.3").



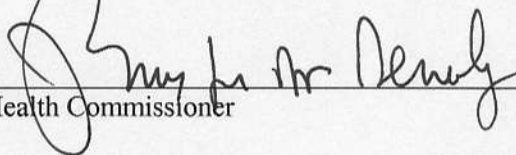
www.vdh.virginia.gov/shellfish

- D. The condemned area shall include that portion of Broad Bay and all of the unnamed tributary of Broad Bay lying upstream and inland of a line drawn between latitude/longitude map coordinate (36°54'01.5", -76°03'05.4") and map coordinate (36°53'59.2", -76°02'50.8").
- E. The condemned area shall include all of Dey Cove and Mill Dam Creek and their tributaries lying upstream of a line drawn between latitude / longitude map coordinate (36°53'46.2", -76°02'29.5") and map coordinate (36°53'38.5", -76°02'09.9").
- F. The condemned area shall include all of an unnamed inlet of Broad Bay lying inland of a line drawn between latitude / longitude map coordinate (36°53'31.4", -76°01'45.3") and map coordinate (36°53'30.8", -76°01'44.6").
- G. The condemned area shall include all of the unnamed tributary of Broad Bay lying upstream of a line drawn between latitude / longitude map coordinate (36°53'28.8", -76°01'30.6") and map coordinate (36°53'22.1", -76°01'26.5").
- H. The condemned area shall include all of an unnamed inlet of Broad Bay lying inland of a line drawn between latitude / longitude map coordinate (36°53'26.2", -76°01'14.1") and map coordinate (36°53'26.1", -76°01'12.6").

Recommended by:

  
\_\_\_\_\_  
Director, Division of Shellfish Sanitation

Ordered by:

  
\_\_\_\_\_  
State Health Commissioner

10/31/06  
\_\_\_\_\_  
Date

